



DEVELOPMENT HEARING OFFICER (DHO)

Parks and Recreation Department

<https://www.cabq.gov/parksandrecreation>

PR-2022-007327

SD-2023-00220 – EXTENSION OF PRELIMINARY PLAT

SD-2023-00222 – EXTENSION OF (8) VACATIONS OF PRIVATE EASEMENT

IDO - 2021

CSI – CARTESIAN SURVEYS, INC. agent for CONSENSUS PLANNING INC. | CITY OF ALBUQUERQUE requests the aforementioned action(s) for all or a portion of: TRACT A-1-A, A-1-B-1, A-1-B-2, & A-A-B-3-A, ACME ACRES zoned MX-H; NR-C, located at 4100 CUTLER AVE NE and CARLISLE BLVD NE and MORNINGSIDE DR NE containing approximately 6.4764 acre(s). (H-16, H-17)

PROPERTY OWNERS: KM NM JEANS LLC & REULE, LLC & GREEN JEANS, LLC & TERRAPIN HOSPITALITY

REQUEST: EXTENSION OF OUR APPROVAL FOR PRELIMINARY PLAT (PR-2022-007327/SD-2022-00188) TO ADJUST THE INTERIOR LINES OF FOUR EXISTING TRACTS TO CREATE FOUR NEW LOTS AND DEDICATE A PORTION OF RIGHT-OF-WAY TO EXTEND THE PUBLIC PORTION OF CUTLER AVE., EXTENSION OF VACATION OF PORTIONS OF 8 EASEMENTS (PR-2022-007327/SD-2022-00189-197)

Comments:

12-06-2023

No comments or objections.

Comments provided by Whitney Phelan, Senior Planner, CABQ Parks & Recreation Department. Please contact via wphelan@cabq.gov or 505-768-5378 with questions or concerns.



Development Facilitation Team (DFT) – Review Comments

Reviewer: David G. Gutierrez, P.E. | Phone: 505-289-3381 | dggutierrez@abcwua.org

Project No: PR-2022-007327 Date: 12/06/2023 Agenda Item: #1 Zone Atlas Page: H-16,H-17

Legal Description: TRACT A-1-A, A-1-B-A, A-1-B-2, & A-A-B-3-A, ACME ACRES

Location: 4100 CUTLER AVE NE AND CARLISLE BLVD NE AND MORNINGSIDE DR NE

Application For: SD-2023-00220-EXTENSION OF PRELIMINARY PLAT (DHO)

1. No objection to the extension
 - a. Note that previous conditions still need to be met as discussed.
 - i. Reference recorded Notice of Encroachment for the existing Hampton Inn sign that was installed without any knowledge of the Water Authority (City at the time) and was done between two private parties.
 - ii. Vacate private sign easement.

Comment: (Provide written response explaining how comments were addressed)

Application For: SD-2023-00222-EXTENSION OF (8) VACATIONS OF PRIVATE EASEMENT (DHO)

1. No objection

Comment: (Provide written response explaining how comments were addressed)

DEVELOPMENT HEARING OFFICER

TRANSPORTATION DEVELOPMENT

DRB Project Number: 2022-007327
4100 Cutler

AGENDA ITEM NO: 1

SUBJECT: Extension of Preliminary Plat, Extension of Vacation of Easements

ENGINEERING COMMENTS:

1. No objection.

. If new or revised information is submitted, additional comments may be provided by Transportation Development.

FROM: Ernest Armijo, P.E.
Transportation Development
505-924-3991 or earmijo@cabq.gov

DATE: December 6, 2023

ACTION:

APPROVED __; DENIED __; DEFERRED __; COMMENTS PROVIDED __; WITHDRAWN __

DELEGATED: _____ TO: (TRANS) (HYD) (WUA) (PRKS) (CE) (PLNG)

DEVELOPMENT HEARING OFFICER - HYDROLOGY SECTION
 Renée Brissette, PE, Senior Engineer | 505-924-3995 rbrissette@cabq.gov

DRB Project Number: 2022-007327 Hearing Date: 12-06-2023
 Project: Tracts A-1-A-1, A-1-B-1-A, A-1-B-2 & A-1-B-A-1, Acme Acres Agenda Item No: 1

<input type="checkbox"/> Minor Preliminary / Final Plat	<input checked="" type="checkbox"/> Extension Preliminary Plat	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Temp Sidewalk Deferral	<input type="checkbox"/> Sidewalk Waiver/Variance	<input type="checkbox"/> Bulk Land Plat
<input type="checkbox"/> DPM Variance	<input type="checkbox"/> Extension of Vacation of Public Easements	<input type="checkbox"/> Vacation of Public Right of Way

ENGINEERING COMMENTS:

- Hydrology has an approved Grading & Drainage Plan (H17D036) with engineer's stamp 02/03/2022.
- Hydrology has no objection to the Extension of the Preliminary Plat.
- Hydrology has no objection to the Extension of the Vacations.

APPROVED
 DENIED

DELEGATED TO: TRANS HYD WUA PRKS PLNG
 Delegated For: _____
 SIGNED: I.L. SPSP SPBP FINAL PLAT
 DEFERRED TO _____



DEVELOPMENT HEARING OFFICER

Planning Comments

HEARING DATE: 12/06/23 -- **AGENDA ITEM:** #1

Project Number: PR-2022-007327

Application Number: SD-2023-00220

Project Name: 4100 Cutler Ave NE

Request:

Extension of Preliminary Plat. Extension easement Vacations (8)

**These are preliminary Planning comments. Additional reviews and/or revised comments may be needed for any modifications and/or supplemental submittals.*

COMMENTS:

Items in **orange type** need immediate attention

Background

- The Applicant is requesting to extend a Preliminary Plat approved by the Development Review Board (DRB) on December 14, 2022 per PR-2022-007712 / SD-2022-00188.
- The Applicant is also requesting to extend Vacations of Easement that were approved by the DRB on December 14, 2022 per PR-2022-007712 / SD-2022-00189, 191-197.

1. Items that need to be completed or corrected

- Please confirm for the DHO that this request has no changes from the original DRB approval.

**(See additional comments on next pages)*

2. Items in Compliance

- Per Table 6-4-3 of the IDO, a Final Plat submittal must be received within 1-year after the approval of the Preliminary Plat and the Vacations of Easement by the DHO. The Applicant has submitted their request for the extensions timely (before the original approval of the Preliminary Plat and Vacations of Easement expire).
- Per 6-4(X)(2) Expiration or Repeal of Approvals:

Unless specified otherwise in this IDO, the DPM, an IIA, a Development Agreement approved by the City, or the terms attached to a permit or approval, each permit or approval shall be valid for the period of time shown in Table 6-4-3 and shall be of no force or effect after that time has passed, unless any of the following applies.

6-4(X)(2)(a) The period of validity is extended pursuant to Subsection 14-16-6- 4(X)(4) (Extensions of Period of Validity) or another provision of this IDO or the DPM.

Per 14-16-6- 4(X)(4):

6-4(X)(4)(a) General Provisions

1. For each permit or approval for which Table 6-4-3 shows an expiration period, except an impact fee assessment or a Site Plan, the original decision-making body may approve 1 extension of validity for good cause shown for a time not to exceed the original period of validity for that permit or approval, provided that both of the following requirements are met.

- a. The applicant has submitted a written request for the time extension before the expiration of the original permit or approval with the Planning Director.*
- b. The extension is considered and a decision is being made by the same decision-making body as the initial approval, except that no public hearing shall be required, if one would have been required under the IDO for the initial approval.*

- Since all required criteria are being met by the applicant, Planning has no objection to extending the Period of Validity for this Preliminary Plat and the Vacations of Easement. Should the DHO approve these extensions, this Preliminary Plat and Vacations of Easement will be valid until December 22, 2024.
- Please note that per Table 6-4-3 of the IDO and 6-4(X)(4)(a) of the IDO, **for the Vacation of Easements, this is the first and final extension the Applicant is able to obtain.**

- Per 6-4(X)(4)(c) of the IDO, additional extensions for Preliminary Plats may be granted by the DHO for good cause, but the Preliminary Plat may be required to come into compliance with any applicable standards adopted since the application was submitted.
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3. Future Development Guidance

Please reference the following development standards from the IDO. Subject to change pending formal submittal or change in development type/use.

- Future development and/or expansion must meet all applicable standards and provisions of the IDO (*per MX-H*), 5-4(C) Compliance with Zoning Requirements, and the DPM.
***Submitted plans should demonstrate how standards are being met for any applicable previous approvals and/or current standards.**
- ❖ **4-2 Allowed Uses**, table 4-2-1.
Follow the Use Specific Standards per 4-3 of the IDO for any proposed uses for *MX-H.
- ❖ **5-1 Dimension Standards for MX-H**. 5-1-G Exceptions and Encroachments.
**Plans should include measurements for setback, separation, height elevations, etc. All will need to show standards and requirements are being met.*
Per Table 5-1-4- Dimensional Standards for R-1B:
- ❖ 5-3 Access & Connectivity requirements.
- ❖ 5-4 Subdivision of Land
- ❖ 5-5 Parking & Loading requirements, Table 5-5-1
- ❖ 5-7 Walls/Fences, table 5-7-1. ***Development requires separate permitting.**
- ❖ **5-8 for Outdoor Lighting** requirements.
- ❖ **5-11-E Building/Facade Design**.
- ❖ **5-12 Signage** requirements.
- ❖ **5-13 Operation and Maintenance**
- ❖ **Section 6-1, table 6-1-1 for public notice requirements.**
- ❖ **6-4(R) Dedications**.
- ❖ Platting actions per **6-6-K Subdivision of Land-Minor** or **6-6-L Subdivision of Land-Major**.
- ❖ **Vacations per 6-6-M**.
- ❖ **7-1 Development and use definitions**.



Disclaimer: The comments provided are based upon the information received from the applicant/agent. If new or revised information is submitted, additional comments may be provided by Planning.

FROM: Jay Rodenbeck/Jolene Wolfley/Robert Webb
Planning Department

DATE: 12/5/23

